

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

STEPHEN CHOATE,

Plaintiff,

Case No. 2:21-cv-01602-RFB-DJA

ORDER

v.

NEVADA ATTORNEY GENERAL, *et al.*,

Defendants.

I. DISCUSSION

Plaintiff, a pro se prisoner, previously submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 and filed a motion for the Court to accept his financial certificate and accept an addendum to the complaint. (ECF Nos. 1-1, 4). Plaintiff now has filed a motion to voluntarily dismiss his civil rights petition, which the Court construes as a motion to voluntarily dismiss Plaintiff's civil rights complaint. (ECF No. 6).

Pursuant to Federal Rule of Civil Procedure 41(a)(1), a plaintiff may dismiss an action without a court order by filing "a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." Fed. R. Civ. P. 41(a)(1)(A)(i). The Court grants Plaintiff's motion to voluntarily dismiss this action because no responsive pleading has been filed in this case. Therefore, the Court dismisses this action without prejudice.

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that the motion for voluntary dismissal (ECF No. 6) is granted.

IT IS FURTHER ORDERED that this action is dismissed in its entirety without prejudice.

IT IS FURTHER ORDERED that the motion for the Court to accept the financial certificate and accept an addendum to the complaint (ECF No. 4) is denied as moot.

IT IS FURTHER ORDERED that the Clerk of the Court shall enter judgment accordingly and close this case.

DATED THIS 1st day of November 2021.


RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE